IN THE CLAIMS

Please amend the claims to read as follows:

Listing of Claims

1-18. (Canceled).

19. (Currently Amended) A communication system having a base station apparatus that is controlled by a base station control apparatus and that performs data transmission to and reception from a mobile station apparatus by way of a high speed downlink packet access mode or a dedicated downlink physical channel mode, said communication system comprising:

said base station apparatus, which comprises ~~comprising~~:

a first data transmission section that performs data transmission by way of said high speed downlink packet access mode;

a second data transmission section that performs data transmission by way of said dedicated downlink physical channel mode;

a quality deficiency signal generation section that generates a quality deficiency signal when reception quality at the mobile station apparatus that performs data transmission by way of said high speed downlink packet access mode is lower than a predetermined threshold value;

a quality deficiency signal reporting section that reports the quality deficiency signal to the base station control apparatus; and

a control section that controls the first data transmission section and the second data transmission section to perform data transmission by way of a transmission scheme determined by said base station control apparatus based on the quality deficiency signal, and

said base station control apparatus comprises a control signal transmission section that transmits a control signal to the base station apparatus so that when the number of times said quality deficiency signal is reported per unit time is greater than a predetermined number of times, data transmission for the mobile station apparatus is switched from the high speed downlink packet access mode to the dedicated downlink physical channel mode.

20. (Currently Amended) A communication system having a base station apparatus that is controlled by a base station control apparatus and that performs data transmission to and reception from a mobile station apparatus by way of a high speed downlink packet access mode or a dedicated downlink physical channel mode, said communication system comprising:

said base station apparatus, which comprises ~~comprising~~:

a first data transmission section that performs data transmission by way of said high speed downlink packet access mode;

a second data transmission section that performs data transmission by way of said dedicated downlink physical channel mode;

a quality deficiency signal generation section that generates a quality deficiency signal when reception quality at the mobile station apparatus that performs data

transmission by way of said high speed downlink packet access mode is lower than a predetermined threshold value;

a quality deficiency signal reporting section that reports the quality deficiency signal to the base station control apparatus when the number of times said quality deficiency signal is generated per unit time is greater than or equal to a predetermined number of times; and

a control section that controls the first data transmission section and the second data transmission section to perform data transmission by way of a transmission scheme determined by said base station control apparatus based on the quality deficiency signal, and

said base station control apparatus comprises a control signal transmission section that transmits a control signal to the base station apparatus so that when the number of times said quality deficiency signal is reported per unit time is greater than the predetermined number of times, data transmission for the mobile station apparatus is switched from the high speed downlink packet access mode to the dedicated downlink physical channel mode.

21. (Currently Amended) A communication system having a base station apparatus that is controlled by a base station control apparatus and that performs data transmission to and reception from a mobile station apparatus by way of a high speed downlink packet access mode or a dedicated downlink physical channel mode, said communication system comprising:

said base station apparatus, which comprises ~~comprising~~:

a first data transmission section that performs data transmission by way of said high speed downlink packet access mode;

a second data transmission section that performs data transmission by way of said dedicated downlink physical channel mode;

a quality deficiency deteetion section that receives a signal representing a comparison result of reception quality at the mobile station apparatus that performs data transmission by way of said high speed downlink packet access mode and a predetermined threshold value, detects that the reception quality is lower than the predetermined threshold value and generates a quality deficiency signal;

a quality deficiency signal reporting section that reports the quality deficiency signal to the base station control apparatus; and

a control section that controls the first data transmission section and the second data transmission section to perform data transmission by way of a transmission scheme determined by said base station control apparatus based on the quality deficiency signal, and

said base station control apparatus comprises a control signal transmission section that transmits a control signal to the base station apparatus so that when the number of times said quality deficiency signal is reported per unit time is greater than a predetermined number of times, data transmission for the mobile station apparatus is switched from the high speed downlink packet access mode to the dedicated downlink physical channel mode.

22-23. (Canceled).